

REMARKS

The Office Action dated March 4, 2009 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 6, 17-18, and 25 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added and no new issues are raised which require further consideration or search. Therefore, claims 1 and 3-35 are currently pending in the application and are respectfully submitted for consideration.

The Office Action rejected claims 1, 3-9, 11-31, 33-35 under 35 U.S.C. §103(a) as being allegedly unpatentable over Hazlewood (U.S. Patent No. 7,043,229) (“Hazlewood”), in view of Bot et al. (U.S. Publication No. 2004/0242226) (“Bot”). The Office Action took the position that Hazlewood discloses all the elements of the claims with the exception of “forming a modified subscriber identity having as its second field at least the content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as its first field the said content of the first field that is associated with that operator,” and similar limitations. The Office Action then cited Bot as allegedly curing the deficiencies of Hazlewood. The rejection is respectfully traversed for at least the following reasons.

Claim 1, upon which claims 4-16 and 19-20 are dependent, recites a method, which includes receiving a first message requesting a tariff for a connection and including a subscriber identity field comprising an indication of a subscriber identity of a

terminal that is to terminate the connection, each terminal in a communications system being associated with any of a plurality of operators and being addressable by the subscriber identity formatted to include a first field and a second field, the first field being, for at least some of the subscriber identities, indicative of the operator with which a respective subscriber identity is associated. The method further includes determining the operator to which the subscriber identity of the terminal that is to terminate the connection is assigned, and content of the first field that is associated with that operator. The method further includes forming a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator. The method further includes forming a second message requesting a tariff for a connection and including a subscriber identity field comprising the modified subscriber identity. The method further includes transmitting the second message to a service control function configured to analyse a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity.

Claim 3 recites a method, which includes receiving a first message requesting a tariff for a connection, the first message comprising a subscriber identity field and an indication of the type of the connection, wherein the subscriber identity field comprises an indication of a subscriber identity of a terminal that is to terminate the connection, each terminal in a communications system being associated with any of a plurality of operators and being addressable by the subscriber identity formatted to include a first

field and a second field, the first field being, for at least some of the subscriber identities, indicative of the operator with which a respective subscriber identity is associated. The method further includes determining the operator to which the subscriber identity of the terminal that is to terminate the connection is assigned, and content of the first field that is associated with that operator. The method further includes forming a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator. The method further includes forming a second message requesting a tariff for a connection comprising a subscriber identity field comprising the modified subscriber identity and the indication of the type of the connection. The method further includes transmitting the second message to a control function configured to analyze a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity and the indication of the type of the connection.

Claim 17 recites an apparatus, which includes an operator determination unit configured to receive a first message, comprising an indication of a subscriber identity of a terminal that is to terminate a connection, each terminal in a communications system configured to be associated with any of a plurality of operators and configured to be addressable by the subscriber identity formatted to include a first field and a second field, wherein the first field is configured to be, for at least some of the subscriber identities, indicative of a operator with which a respective subscriber identity is associated. The apparatus further includes the operator determination unit further configured to determine

the operator to which the subscriber identity of the terminal that is to terminate the connection is assigned, and content of the first field that is associated with that operator. The apparatus further includes an identity modifier configured to receive the content and form a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator. The apparatus further includes a message former configured to receive the modified subscriber identity and form a second message requesting a tariff for a connection and including a subscriber identity field comprising the modified subscriber identity. The apparatus further includes a message transmitter configured to transmit the second message to a service control function configured to control the analysis of a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity.

Claim 18, upon which claims 23-24 are dependent, recites an apparatus, which includes receiving means for receiving a first message requesting a tariff for a connection and including a subscriber identity field comprising an indication of a subscriber identity of a terminal that is to terminate the connection, each terminal in a communications system being associated with any of a plurality of operators and being addressable by the subscriber identity formatted to include a first field and a second field, the first field being, for at least some of the subscriber identities, indicative of the operator with which a respective subscriber identity is associated. The apparatus further includes determining means for determining the operator to which the subscriber identity of the terminal that is

to terminate the connection is assigned, and content of the first field that is associated with that operator. The apparatus further includes forming means for forming a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator. The apparatus further includes forming means for forming a second message requesting a tariff for a connection and including a subscriber identity field comprising the modified subscriber identity. The apparatus further includes transmitting means for transmitting the second message to a service control point configured to analyze a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity.

Claim 25 recites an apparatus, which includes an operator determination unit configured to receive a first message, comprising an indication of a type of the connection and an indication of a subscriber identity of a terminal that is to terminate a connection, each terminal in a communications system configured to be associated with any of a plurality of operators and configured to be addressable by the subscriber identity formatted to include a first field and a second field, wherein the first field is configured to be, for at least some of the subscriber identities, indicative of a operator with which a respective subscriber identity is associated. The apparatus further includes the operator determination unit further configured to determine the operator to which the subscriber identity of the terminal that is to terminate the connection is assigned, and content of the first field that is associated with that operator. The apparatus further includes an identity

modifier configured to receive the content and form a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator. The apparatus further includes a message former configured to receive the modified subscriber identity and form a second message requesting a tariff for a connection and including a subscriber identity field comprising the modified subscriber identity and the indication of the type of the connection. The apparatus further includes a message transmitter configured to transmit the second message to a service control function configured to control the analysis of a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity and the indication of the type of the connection.

As will be discussed below, Hazlewood and Bot fails to disclose or suggest all of the elements of the claims, and therefore fails to provide the features discussed above.

Hazlewood discusses a system and method for determining a tariff for real-time wireless service, such as pre-paid service for wireless telephone calls. A tariff determining node receives an initial detection point message which triggers a query to be sent to a location number portability database to determine whether the call is made to or from a ported number. Figures 2, 3, 4 and 5 of Hazlewood clearly show a modified service control point which receives the initial detection point message from a service switching point (SSP) / service switching function (SSF). (See Hazlewood at least at col. 4, lines 56-60). The SSF is indicated as being the service switching point. (See

Hazlewood at col. 3, lines 60-61.) Hazlewood further discusses that the message includes the mobile subscriber international ISDN number (MSISDN) of the prepaid service subscriber and also the called party number requesting the tariff for the connection. (See Hazlewood at col. 4, lines 65-67).

In Hazlewood, the modified service control point then, either internally or remotely, processes the request by using a local number portability point server, located within the service control point or within the pre-paid service data point to generate a response message which indicates to the service control point whether or not a number has been ported. Dependent on this response message, a prefix may then be used to identify whether the call is within the operator's own network or in another network.

Bot discusses a method for accessing an intelligent network (IN services) implemented in a first telecommunication network by a terminal, which is subscribed to the first network and which is roaming in a second telecommunication network. The second network is coupled to the first network. The method includes the steps initiated by an IN service request number sent from the terminal and received in a second service switching function (SSF) in the second network. The steps include sending an IN service request detect message from the second SSF to a first SCF in the first network, based on the number and sending a redirect message from a second SCF to the second SSF. The redirect message includes a command to establish a connection and a destination number associated with the IN service to be accessed. The method also includes accessing the IN service from the second SSF by dialing an access number including the destination

number. The destination number can include a prefix to the number sent from the terminal. (See Bot at Abstract).

Applicants respectfully submit that Hazlewood and Bot, whether considered individually or in combination, fail to disclose, teach, or suggest, all of the elements of the present claims. For example, the combination of Hazlewood and Bot fails to disclose, teach, or suggest, at least, *“forming a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator,”* as recited in independent claim 1, and similarly recited in independent claims 3, 17, 18, and 25.

The Office Action correctly concluded that Hazlewood fails to disclose, or suggest, the aforementioned limitation. (See e.g. Office Action at page 6). Furthermore, as will be described below in greater detail, Bot does not cure the deficiencies of Hazlewood.

Bot describes a home network 1, and a visited network 2. The home network 1 includes a first service switching function (SSF) 4. The home network also includes a first service control function (SCF) 7 connected to the SSF 4, and a second SCF 6, also connected to the SSF 4. The visited network 2 includes a second SSF 8. (See Bot at paragraph 0018; Figure 1). Bot further describes that when a terminal 10 attempts to access an IN service in the home network 1, the terminal sends a short number to the second SSF 8 in the visited network. The SSF 8 sends a detect message to the SCF 6 in the home network 1, where the detect message includes an extension number of the

terminal 10 and a service key. The SCF 6 determines a prefix to the number sent from the terminal 10. The SCF 6 then sends a redirect message the SSF 8 in the visited network 2, where the redirect message includes a destination number. The destination number includes the number sent from the terminal 10 and a prefix 22 added by the SCF. The prefix 22 includes a home network identification number 22a and an IN service type identification number 22b. (See Bot at paragraph 0019; Figures 1 and 2).

The Office Action took the position that the redirect message which includes a destination number, where the destination number includes the number sent from the terminal and the prefix added by the SCF, of Bot discloses the aforementioned limitation of independent claim 1. Applicants respectfully submit that this position is incorrect. Independent claim 1 recites that the modified subscriber identity includes “*at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection.*” However, the redirect message of Bot does not include a subscriber identity of the terminal that is to terminate the connection. Instead, the redirect number merely includes the number sent from the terminal 10 (i.e. short number 23 as shown in Figure 2) and prefix 22. Bot states that the number sent from the terminal 10 (i.e. short number 23) is merely an IN service request number, and thus, is not the subscriber identity of the terminal that is to terminate the connection. (See Bot at paragraph 0004). Furthermore, Bot states that the prefix is merely a home network identification number 22a combined with an IN service type identification number, and thus, is also not the subscriber identity of the terminal that is to terminate the connection. (See Bot at paragraph 0019). Furthermore, Bot fails to disclose, or suggest, a terminal that is to

terminate the connection because Bot fails to teach a terminal establish a connection with a second terminal. Instead, Bot merely states that the terminal access the IN service in the home network 1. (See Bot at paragraph 0023).

Therefore, Bot fails to disclose, or suggest, “*forming a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator,*” as recited in independent claim 1. Furthermore, while each of the claims have their own scope, Applicants respectfully submit that the arguments present above also apply to independent claims 3, 17-18, and 25.

Therefore, for at least the reasons discussed above, the combination of Bot and Hazlewood fails to disclose, teach, or suggest, all of the elements of independent claims 1, 3, 17-18, and 25. For the reasons stated above, Applicants respectfully request that this rejection be withdrawn.

Claims 4-9, 11-16, and 19-20 depend upon independent claim 1. Claims 21-22, 26-31, and 33-35 depend upon independent claim 17. Claims 23-24 depend upon independent claim 18. Thus, Applicants respectfully submit that claims 4-9, 11-16, 19-24, 26-31, and 33-35 should be allowed for at least their dependence upon independent claims 1, 17, and 18, respectively, and for the specific elements recited therein.

The Office Action rejected claims 10 and 32 under 35 U.S.C. §103(a) as being allegedly unpatentable over Hazlewood, in view of Bot, and further in view of Aijala (U.S. Publication No. 2002/0176405) (“Aijala”). The Office Action took the position

that the combination of Hazlewood and Bot discloses all the elements of the claims with the exception of “wherein the messages are session initiation protocol INVITE messages.” The Office Action then cited Aijala as allegedly curing the deficiencies of Hazlewood and Bot. The rejection is respectfully traversed for at least the following reasons.

Hazlewood and Bot are described above. Aijala is directed to a method of controlling cost associated with VoIP by including in a call correction set-up message sent over an IP network a maximum charge parameter. The method also includes, when the connection is required to break out of the IP network into a telecommunication network, comparing the maximum charge parameter contained in the set-up message with a charge parameter associated with the breakout part of the connection. The method also includes making a decision on completing the break out part of the connection based on the result of the comparison. (See Aijala at Abstract).

Claims 10 and 32 depend upon independent claims 1 and 17, respectively. As discussed above, the combination of Hazlewood and Bot does not disclose, teach, or suggest all of the elements of independent claims 1 and 17. Furthermore, Aijala does not cure the deficiencies in Hazlewood and Bot, as Aijala also does not disclose, teach, or suggest, at least, *“forming a modified subscriber identity having as a second field at least a content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as a first field the content of the first field that is associated with that operator,”* as recited in independent claim 1, and similarly recited in independent claim 17. Thus, the combination of Hazlewood, Bot, and Aijala does not

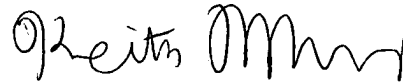
disclose, teach, or suggest all of the elements of claims 10 and 32. Additionally, claims 10 and 32 should be allowed for at least their dependence upon independent claims 1 and 17, and for the specific elements recited therein.

For at least the reasons discussed above, Applicants respectfully submit that the cited prior art references fail to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 1 and 3-35 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



Keith M. Mullervy
Registration No. 62,382

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Vienna, Virginia 22182-6212
Telephone: 703-720-7800
Fax: 703-720-7802

KMM:sew